

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

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BOAZ BAGBAG,

Index No. 161205/2020

Plaintiff,

**NOTICE OF  
CROSS-MOTION**

-against-

WAYNE MICHAEL GREENWALD, ESQ.,  
HOWARD ABRAMS SCHULDER, ESQ.  
and SUMMA CAPITAL CORP.,

Defendants.

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**PLEASE TAKE NOTICE** that upon the annexed affirmation of Christopher A. Gorman, Esq., dated May 28, 2021, along with the exhibits attached thereto, Plaintiff shall cross-move before the Supreme Court of the State of New York, County of New York, located at 60 Centre Street, Room 130, New York, New York 10007, on the 11th day of June, 2021 at 9:30 a.m., or as soon thereafter as counsel can be heard for an Order, as follows:

- i. Pursuant to CPLR 3025(b), granting Plaintiff leave to further amend the Amended Complaint as set forth in the annexed Proposed Second Amended Complaint (the "SAC") with respect to the first and second causes of action contained in the SAC; and
- ii. Granting Plaintiff such other and further relief as this Court deems just, proper and equitable.

**PLEASE TAKE FURTHER NOTICE** that answering papers are to be served upon the undersigned by no later than June 10, 2021 in accordance with the Stipulation of the parties dated May 17, 2021 ([NYSCEF Doc. No. 83](#)).

Dated: Lake Success, New York  
May 28, 2021

ABRAMS, FENSTERMAN, FENSTERMAN,  
EISMAN, FORMATO, FERRARA, WOLF &  
CARONE, LLP

By: /s/ Christopher A. Gorman  
Christopher A. Gorman  
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*Attorneys for Plaintiff*